

Notice of Allowability

Application No.

09/457,952

Examiner

David Q. Nguyen

Applicant(s)

SEBIRE ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 09/11/06.
2. ☒ The allowed claim(s) is/are 1 and 3-20 (renumbered as 1-19, respectively).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 04/04/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

Allowable Subject Matter

1. The following is an examiner's statement of reasons for allowance:

Regarding independent claim 1, Jin (US 6,658,045 B1); and "EGPRS Link Quality Control Measurements and Filtering," ETSI SMG2 Working Session on EDGE, Tdoc SMG2 EDGE 444/99, Agenda item 6.3, October 18-22, 1999, Austin, TX (source: Ericsson), either singularly or in combination, fail to anticipate or render obvious that calculating in the ME an indication of link quality experienced by the ME, the calculation employing a filter having a finite filter length that is a function of the speed indication, in combination with all other limitations in the claim(s) as defined and argued by applicant.

Regarding independent claims 17 and 19, Jin (US 6,658,045 B1); Wan (US 6385460); and "EGPRS Link Quality Control Measurements and Filtering," ETSI SMG2 Working Session on EDGE, Tdoc SMG2 EDGE 444/99, Agenda item 6.3, October 18-22, 1999, Austin, TX (source: Ericsson), either singularly or in combination, fail to anticipate or render obvious that a filter having a finite filter length that is a function of the speed indication and transmitting an indication of said filtered link quality measurement data to the receiver of said network, in combination with all other limitations in the claim(s) as defined and argued by applicant.

Regarding claim 20, Regarding independent claims 1, Jin (US 6,658,045 B1); Wan (US 6385460); and "EGPRS Link Quality Control Measurements and Filtering," ETSI SMG2 Working Session on EDGE, Tdoc SMG2 EDGE 444/99, Agenda item 6.3, October 18-22, 1999, Austin, TX (source: Ericsson), either singularly or in combination, fail to anticipate or render obvious that determining in the wireless network an indication of a signal quality experienced by

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individual ones of the plurality of ME and transmitting the determined indications to individual ones of the ME using a point-to-point message, in combination with all other limitations in the claim(s) as defined and argued by applicant.

Claims 3-16 depend on claim 1. Therefore, they are allowed.

Claim 18 depends on claim 17. Therefore, it is allowed.

2. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wickman et al. (US 5,983,104) teach mobile communication system with mobile unit speed identification features.

Willey et al. (US 5,787,348) teach method of measuring speed of a mobile unit and a receiver for use in a wireless communication system.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Q. Nguyen whose telephone number is 571-272-7844.

The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOSEPH H. FEILD can be reached on (571)272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



David Q Nguyen
Examiner
Art Unit 2617


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER